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Message Text

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ACTION L-03

INFO OCT-01 EUR-12 ISO-00 SCS-03 SCA-01 CIAE-00 INR-07
NSAE-00 JUSE-00 SSO-00 INRE-00 PRS-01 /028 W
----------231428Z 055893 /50
O 231414Z MAR 77
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 1854

C O N F I D E N T I A L LONDON 04795

E.O. 11652: GDS
TAGS: CASC, UK
SUBJECT: PROPOSED EXPULSION FROM UK OF PHILIP AGEE AND MARK HOSENBALL

REF: A-STATE 62359, B-LONDON 4697, C-LONDON 4509

1. REF A, PARA 2, EMBASSY DEVELOPING WITH HOME OFFICE ASSISTANCE REPORTING FOR REPLY TO DEPT. ANTICIPATING FORWARDING THAT INFORMATION TOMORROW, MAR 24.

2. REF A, PARA 3, AND FURTHER TO INFORMATION CONTAINED LONDON 4509 (REF C): WHILE IT IS NOT LITERALLY KNOWN AT THIS TIME, HOME OFFICE UNDERSTANDS THAT HOSENBALL DID (PERHAPS LATE YESTERDAY) OR WILL (PERHAPS TODAY)

FILE HIS APPEAL WITH THE COURT OF APPEALS. HOME OFFICE IS CERTAIN THAT THE APPEAL, ONCE FILED, WILL BE HEARD VERY QUICKLY, PERHAPS LATER THIS WEEK OR EARLY PART OF NEXT WEEK.

3. IF HOSENBALL UNSUCCESSFUL WITH APPEAL, HE WILL HAVE EXHAUSTED JUDICIAL REMEDIES AVAILABLE. HIS NEXT STEP COULD BE AN APPEAL TO THE HOUSE OF LORDS, ARGUING A POINT OF LAW IN THE PUBLIC INTEREST.
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4. REF B, EMBASSY REQUIRES INSTRUCTION AND INFORMATION RELATIVE TO WHAT SPECIFIC INFORMATION IT MAY PROVIDE IN WRITING TO FCO CONCERNING THE JUSTICE DEPARTMENT'S DECISION NOT TO PROSECUTE AGEE. AN ARTICLE IN LONDON TELEGRAPH, MARCH 22, BYLINED NICHOLAS COMFORT IN WASHINGTON, HEADLINES, "US DROPS PROSECUTION OF AGEE,"

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AND STATES IN LEAD PARA THAT THE USG HAS DECIDED NOT TO
TAKE CRIMINAL PROCEEDINGS AGAINST PHILIP AGEE, FORMER
CIA AGENT, NOW FACING EXPULSION FROM BRITAIN FOR USING
CLASSIFIED INFORMATION IN A BOOK HE WROTE ABOUT THE

AGENCY. THAT NEWS ARTICLE, COUPLED WITH THE LIMITED
INFO IN PARA 4, REF A, WILL BE, IF IT IS THE EXTENT
OF WRITTEN INFORMATION WE MAY PROVIDE THE FCO, THE
CAUSE OF CONSIDERABLE DISTURBANCE WITH HMG. WE THEREFORE
NEED INFORMATION AND INSTRUCTIONS TO BE AS COMPREHENSIVE
AS POSSIBLE, INCLUDING ANY LIMITATIONS, COMMENTS OR
QUALIFICATIONS IN THE JUSTICE DEPT DECISION. ANTICI-
PATING THE FCO QUESTION WHICH WILL PROBABLY ARISE AS
A RESULT OF SUCH INFO WE DO PROVIDE, HOW WILL FCO
BE ABLE TO USE OUR REPORT, I.E. PRESS RELEASE,
PARLIAMENT, ETC.

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Message Attributes

Automatic Decaptioning: X
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Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
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Disposition History: n/a
Disposition Reason:
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Review Release Date: n/a
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Type: TE
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